

(P.1)

**IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA**

SALLIE MAE SERVICING
CORPORATION,

Plaintiff,

v.

MERCEDES HENDERSON,

Defendant.

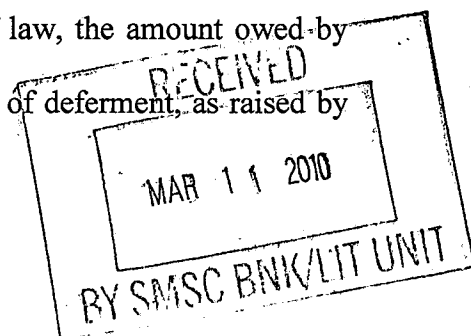
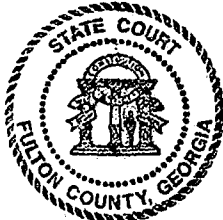
CIVIL ACTION FILE
NO. 06-VS-094873D

1872 FEB 10
[Signature]

**ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
ON DAMAGES**

The above-styled matter came before this Court on Plaintiff's Motion for Summary Judgment. On November 2, 2009, the Court entered an Order Vacating Default Judgment. The Order entered an amended default judgment as to liability only against Defendant. Plaintiff chose to establish damages by motion in lieu of evidentiary hearing. In support of its Motion for Summary Judgment, Plaintiff relies upon sworn affidavit testimony and other competent evidence of Defendant's indebtedness. In response to Plaintiff's Motion, Defendant argued that Plaintiff had failed to establish an entitlement to any damages because the promissory note at issue, by its terms and based on Defendant's continuing education, remains in deferment.

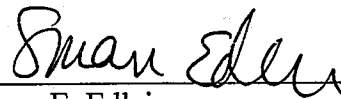
Having reviewed and considered Plaintiff's Motion for Summary Judgment and supporting materials, Defendant's response in opposition thereto, the record evidence (including the Affidavit of Robin Zimmermann with attached exhibits), and applicable law, the Court finds that Plaintiff established, as a matter of law, the amount owed by Defendant to Plaintiff. The Court further finds that the issue of deferment, as raised by



Defendant, relates to liability, not damages, and that liability has been established by default. Accordingly,

IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff's Motion for Summary Judgment is **GRANTED**. Plaintiff shall have judgment against the Defendant for the principal amount of \$26,580.87, pre-judgment interest of \$9,416.06, and court costs of \$142.50.

This 18 day of February, 2010.



Susan E. Edlein
Judge, State Court of Fulton County

Copies to:

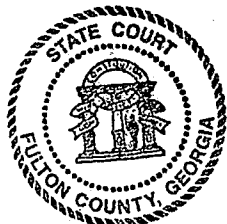
Hal J. Leitman, Esq.
MACEY, WILENSKY, KESSLER & HENNINGS, LLC
230 Peachtree Street, NW
Suite 2700
Atlanta, GA 30303
Attorney for Plaintiff

F. Robert Slotkin, Esq.
111 N. McDonough Street
Decatur, Georgia 30030
Attorney for Defendant

do certify that the within foregoing is a true
complete and correct copy of the original in said
case, as appears by the original on file in the office
of Clerk of Fulton State Court, consisting
of 2 pages.

Witness my hand and the seal of said Court this the

3rd day of March 2010


DEPUTY CLERK, FULTON STATE COURT

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STATE COURT OF FULTON CNTY
185 CENTRAL AVE SW
ATLANTA GA 30303-3519

Dear STATE COURT OF FULTON CNTY:

03/30/10

I, diane klinges, representing
HICA EDUCATION LOAN CORPORATION, in consideration of the
funds paid by the United States of America, hereby assign to the
assignee, the judgement recovered on 02/18/10 docketed
in fulton county, georgia, Case No. 06-vs-094873d,
against MERCEDES J HENDERSON.

Assignor authorizes the United States of America to ask, demand,
receive and to sue out executions and take all lawful ways for recovery
of the money due or to become due on this judgment.

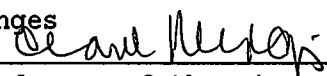
Assignor has not done and will not do anything to hinder or prevent the
United States of America from enforcing this judgment.

The assignor's address is: HICA EDUCATION LOAN CORPORATION,
3900 W TECHNOLOGY CIRCLE, SIOUX FALLS, SD,
57106, (605) 361-5051.

The Assignee's address is: United States of America, United States
Department of Health and Human Services, Debt Management Branch,
5600 Fishers Lane, Room 8B-45, Rockville, MD 20857, 301-443-1782.

I have executed this assignment at HICA EDUCATION LOAN CORPORATION,
on 03/30/10.

diane klinges


(typed name of the signee)

